IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

WAYNE ABRAHAMSON,)	4:05CV3039
BERGMAN BROTHERS, and)	
WAYNE CARLSON,)	
)	
Plaintiffs,)	
,)	
Vs.)	
, 51)	
FIRST NATIONAL BANK OF)	MEMORANDUM
HOLDREGE, KENNETH)	AND ORDER
SLOMINSKY, ERIC TITUS,)	
RONALD STERR, TIM WIEBE,)	
JEANETTE HARDEN, KIRK)	
RILEY, MARK UTTER, and)	
DOUGLAS SCOTT LATTER,)	
booth beoil Entitle,)	
Defendants.)	
Defendants.)	
	_ / `	
PHILLIP M, KELLY, as Trustee of)	4:05CV3040
the bankruptcy estate of DENNIS R.)	7.03C Y 3070
DAMROW, together with)	
SHERRY DAMROW, as their)	
)	
interests may be established,)	
Plaintiffs,)	
riammis,)	
Mo)	
VS.)	
FIRST NATIONAL BANK OF)	MEMORANDUM
HOLDREGE, KENNETH)	AND ORDER
*)	AND ORDER
SLOMINSKY, ERIC TITUS,)	
RONALD STERR, TIM WIEBE,)	
JEANETTE HARDEN, KIRK)	
RILEY, MARK UTTER, and)	
DOUGLAS SCOTT LATTER,)	
)	
Defendants.)	
)	

DONALD DAMROW,) 4:05CV3041
Plaintiff,)
VS.)
FIRST NATIONAL BANK OF HOLDREGE, KENNETH SLOMINSKY, ERIC TITUS, RONALD STERR, TIM WIEBE, JEANETTE HARDEN, KIRK RILEY, MARK UTTER, and DOUGLAS SCOTT LATTER,) MEMORANDUM) AND ORDER)))))
Defendants.)))
MARTIN DAMROW,	4:05CV3042
Plaintiff,)
VS.)
FIRST NATIONAL BANK OF HOLDREGE, KENNETH SLOMINSKY, ERIC TITUS, RONALD STERR, TIM WIEBE, JEANETTE HARDEN, KIRK RILEY, MARK UTTER, and DOUGLAS SCOTT LATTER,))
Defendants.)

DAMROW and DAMROW, a) 4:05CV3043
General Partnership,)
)
Plaintiff,)
)
VS.)
)
FIRST NATIONAL BANK OF) MEMORANDUM
HOLDREGE, KENNETH) AND ORDER
SLOMINSKY, ERIC TITUS,)
RONALD STERR, TIM WIEBE,)
JEANETTE HARDEN, KIRK)
RILEY, MARK UTTER, and)
DOUGLAS SCOTT LATTER,)
Defendants.)
Defendants.	<i>)</i>)
))
DAMROW FARMS, a) 4:05CV3044
General Partnership,)
)
Plaintiff,)
VS.)
FIRST NATIONAL BANK OF) MEMORANDUM
HOLDREGE, KENNETH) AND ORDER
SLOMINSKY, ERIC TITUS,)
RONALD STERR, TIM WIEBE,)
JEANETTE HARDEN, KIRK)
RILEY, MARK UTTER, and)
DOUGLAS SCOTT LATTER,)
,)
Defendants.)
	,)

In the opinions I issued in these cases last Friday, I mistakenly stated that I was dismissing the "unjust enrichment" claims for failure to comply with Rule 41(b) as well as for failure to state a claim under Rule 12(b)(6). (See pages four and twenty-two of the opinions.) That was erroneous. I dismissed the "unjust enrichment" claims solely because they failed to state a claim under Rule 12(b)(6). (See pages 4, 13, 14 and 22 of the opinions.) I apologize for this error and the resulting confusion. Therefore,

IT IS ORDERED that the opinions (filing 44 in 4:05CV3039; filing 46 in 4:05CV3040; filing 41 in 4:05CV3041; filing 40 in 4:05CV3042; filing 43 in 4:05CV3043; and filing 45 in 4:05CV3044) in these cases are amended to make clear that the "unjust enrichment" claims are dismissed solely for failure to state a claim under Rule 12 (b)(6). The Clerk is directed to modify the docket entry for each of the opinions accordingly. Amended judgments will not be filed. ¹

February 6, 2006.

BY THE COURT:

s/Richard G. Kopf United States District Judge

¹The judgments filed in this case do not states the specific reasons for their entry and thus no amendment need be made to them.